

Bills of Interest  
2016 Legislative Session  
February 1 through February 5, 2016

**Bills Introduced in the House**

[H0429](#) – CONTROLLED SUBSTANCES – Amends I.C. § 37-2738 to provide that the restrictions in that statute on the granting of a withheld judgment in controlled substance cases do not apply to offenders who are entering, participating in, or have graduated from problem solving court programs. (Court bill.)

[H0430](#) – CIVIL PROCEDURE – Amends the provisions on compromise of a claim by a minor to allow persons other than the parents, including conservators and guardians, to petition the court for approval of a compromise of a claim; sets a priority for who may file the petition; specifies the information that must be included in the claim so the court may determine whether the compromise is reasonable and in the best interest of the minor. (Court bill.)

[H0434](#) – CRIMINAL PROCEDURE – Enacts a new statute that would contain all of the previously enacted provisions regarding the distribution of partial payments of fines, fees, costs, and restitution that an offender has been ordered to pay; defines court costs; gives misdemeanor probation supervision fees the same priority as felony probation supervision fees. (Court bill.)

[H0435](#) – WORKER’S COMPENSATION – Provides that neither the employer nor surety shall be required to pay for medical services in amounts in excess of that provided in any medical regulation or medical fee schedule promulgated by the Industrial Commission. (The bill is intended to reverse the holding in *Neel v. Western Construction, Inc.*, 147 Idaho 146, 206 P.3d 852 (2009). The Court held in that case that when a surety has denied a claim that is later deemed compensable by the Commission, the surety is only permitted to review for reasonableness the claimant’s medical bills that were incurred after the Commission’s ruling that the claim is compensable.)

[H0439](#) – CRIMINAL PROCEDURE – Provides that the State Appellate Public defender shall represent indigent defendants in felony cases in interlocutory appeals from the district court, and in appeals from the district court where there was a granting, as well as a denial, of post-conviction relief.

[H0447](#) – PUBLIC RECORDS -- Provides an exemption from disclosure for records related to proposed or existing critical infrastructure that could be used to jeopardize the safety of persons, property, or the public.

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**Bills Introduced in the Senate**

[S1233](#) – APPROPRIATIONS – Additional appropriation to the Department of Juvenile Corrections for FY 2016 appropriating an additional \$49,200 for increases in wide-area network (WAN) and broadband costs.

[S1235](#) – JUVENILES – Provides the court may make an informal adjustment where the juvenile has entered an admission at any time in the proceeding, not just at the admit-deny hearing; provides that the court shall, rather than may, dismiss the case where certain criteria have been met following an informal adjustment; eliminates the requirement that the juvenile must apply for dismissal.

[S1236](#) – FISH & GAME – Amends I.C. § 36-408(9) to provide that the Commission shall, rather than may, issue the specified tags that are to be issued in connection with the Governor's Wildlife Partnership Tags program.

[S1245](#) – PROPERTY – Provides that in a condemnation proceeding, the value of the property shall not include any increase or decrease attributable to the project for which the property is sought to be condemned, the proceeding in which the property is sought to be condemned, or preliminary action of the plaintiff or other government agency taken in anticipation of the condemnation proceedings.

[S1253](#) – CHILDREN & FAMILIES – Limits the liability of foster parents and child care institutions who enroll foster children in activities so long as they apply a reasonable and prudent parent standard.

[S1255](#) – CRIMINAL PROCEDURE – Amends I.C. § 31-2002, regarding investigations by the Attorney General of county elected officers to provide that the Attorney General may, rather than shall, conduct such investigations; that such investigations will be for allegations of criminal law violations, and not civil violations; that the Attorney General in such cases shall conduct the complete investigation, rather than a preliminary investigation; and that the Attorney General shall act as special prosecutor if it is determined that prosecution is warranted.

[S1256](#) – MOTOR VEHICLES – Increases the fine for the infraction of not having liability insurance from \$75 to \$300.

[SJR101](#) – CONSTITUTION – Proposes an amendment to the Idaho Constitution to provide that upon the veto of a bill following adjournment of the Legislature, and upon the joint request of the Speaker of the House and President Pro Tem of the Senate, the Governor shall call the Legislature back into session to reconsider the vetoed bill.